REMARKS/ARGUMENTS

Claim Amendments

The Applicant has amended claims 15 and 18. Applicant respectfully submits no new matter has been added. Accordingly, claims 15-32 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

Claim Rejections – 35 U.S.C. § 102(e)

Claims 15-32 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Chu, et al. (Pub No. US 2003/0210659). The Applicant respectfully traverses the rejection of these claims.

The present application discloses a solution to minimize the number of transcoding stages when the originating user equipment sends information (e.g., an IAM message) which is not empty and TrFO and TFO is not possible. The Applicant's solution is to extend a received list of codec types, configurations or both, if a transcoding is to be implemented in a communication path. The codec types, etc., that are currently supported by the communication path form a first part of the list. If the transcoding is implemented in the communication path a second part of the list is formed that is comprised of codecs, etc., that are now able to be used as a result of the transcoding. The first and second part of the list is separated by a codec type; e.g., a default codec as in claim 2. The division of the codec list enables (selection of) a codec type with no transcoding (common in both direct codec lists) or with maximally one transcoding (the selected codec type included in one of the direct codec lists) (page 20, lines 19-22). Also, the separator as provided by the codec type is used to separate or indicate the border between direct codecs and indirect codes

The Chu reference is cited for, among other items, disclosing the separator claimed in the Applicant's independent claims, Chu at the very least does not address or disclose a structure or order in the codecs other than listing in a table. Chu does not separate the codecs and does not distinguish further between direct and indirect codecs. Chu does not disclose a structure of the transferred codec information. The

cited table (1) used to select the codec merely lists all possible combinations of CDMA codecs and does use a further step of selection. Also, Chu does not use a delimiter codec type and does not mention a delimiter or divider. The term "default codec" as recited by the examiner is used in a different sense than the Applicant's use. "...[T]his default codec is used as the "active" codec..." in paragraph 64 of the Chu reference, discloses active use of the default codec, not a primarily as a separator. Typically, a default codec has not been included in regular implementations in the art, since it is unnecessary to transfer a capability which is in place by default.

The present invention with the element of the codec type being used as a separator, allows selection of a node with the knowledge of whether the selected codec is supported in a direct or indirect manner. The Applicant respectfully asserts that the Chu reference fails to provide a codec type as a separator between a first part (direct) and a second part (indirect) of a codec list wherein the second part of the list is available only at least one transcoding is implemented. This being the case, the Applicant respectfully requests the allowance of independent claim 15 and analogous independent claims 18, 21 and 29.

Claims 16-17, 22-28 and 30-32 depend from their respective independent claims and recite further limitations in combination with the novel elements of claims 15, 18, 21 and 29. Therefore, the allowance of claims 15-32 is respectfully requested.

CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,

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